

REMARKS

The Office Action dated July 19, 2006, has been reviewed and the Examiner's comments carefully considered. Prior to this paper, Claims 1-28 were pending in the application. By this paper, Applicants cancel claims 15-20, 23, 25 and 27, and add claims 29-31. Therefore, claims 1-14, 21, 22, 24, 26 and 28-31 are now pending.

Applicants also amend claims 1, 21 and 22, as seen above. Support for these claim amendments may be found, among other places, at paragraphs 0030-0054 of the application as originally filed.

Applicants respectfully submit that the present application is in condition for allowance for at least the reasons that follow

Indication of Allowable Subject Matter

Applicants thank Examiner Chin for the indication that claims 9-14, 16-20, and 23-28 contain allowable subject matter. In reliance on this indication, Applicants have placed claims 23-28 into independent form.

Rejections Under 35 U.S.C. § 102

Claims 1-8, 15 and 21-22 stand rejected under 35 U.S.C. §102(e) as being anticipated by Matsumoto (United States Patent No. 6,708,098). In response, in order to advance prosecution, and without prejudice or disclaimer, Applicants amend the rejected independent claims, and respectfully submit that the above claims are allowable for at least the reasons that follow.

Applicants rely on MPEP § 2131, entitled "Anticipation – Application of 35 U.S.C. 102(a), (b), and (e)," which states that a "claim is anticipated only if each and every element

as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Section 103 amplifies the meaning of this anticipation standard by pointing out that anticipation requires that the claimed subject matter must be “*identically* disclosed or described” by the prior art reference. (Emphasis added.) It is respectfully submitted that Matsumoto does not describe each and every element of independent claims 1, 21 and 22, and thus does not anticipate these claims and any claim that depends therefrom.

Claim 1 has been amended to now recite “a correcting section that corrects at least one of a parameter for detecting the state of the tendency of the deviation so as to detect lane deviation at earlier timing, and a parameter for computing the calculated deceleration controlled variable so as to increase the calculated deceleration controlled variable, as the acute angle (ϕ) becomes larger.”

Matsumoto does not teach the recitations of claim 1, at least with respect to the just-quoted elements, and thus does not anticipate claim 1, or the claims that depend therefrom.

Claims 21 and 22 are allowable for at least the reasons just detailed, as these claims have been amended in a manner similar to that of claim 1.

Applicants also submit that the claims are allowable for at least the reasons previously detailed in the Response of May 12, 2006, the contents of which are incorporated herein in their entirety.

New Claims

As seen above, Applicants have added new claims 29-31. These claims respectively depend from the independent claims. Claim 29, which is representative of claims 30 and 31, recites that that the brake force controlling section is adapted to determine a target braking fluid pressure based on the calculated deceleration controlled variable, and the lane departure prevention control apparatus is adapted to output the target braking fluid pressure to each road wheel of the vehicle to decelerate the vehicle. Because Matsumoto teaches that the

braking fluid pressure applied to the road wheels is different for the various road wheels, Matsumoto does not anticipate these claims.

Support for these claims may be found, among other places, at the bottom of page 14 and on page 15 of the application as originally filed. Entry and allowance is requested.

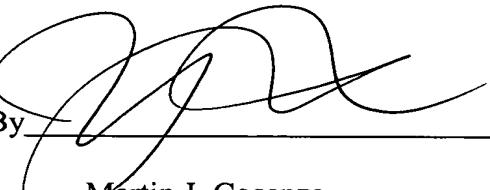
Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Examiner Chin is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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